

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2004 Legislative Session

Legislative Day # 5

BILL NO. 2004- 03

Introduced by: Charles County Commissioners

AN ACT concerning

Architectural/Engineering Services

Date introduced: 04/13/2004

Public Hearing 05/03/2004

Commissioners Action: 05/03/2004 Enact

Commissioner Votes: WC: Yes , RF: Yes , ML: Yes , DM: Yes , AS: Yes

Pass/Fail: Pass

Effective Date: 06/16/2004 at 12:01 a.m.

Remarks: _____

AMENDMENTS

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2004 Legislative Session

Bill No. 2004 - _____

Chapter. No. 153 _____

Introduced by _____

Date of Introduction _____

BILL

1 AN ACT concerning

2 ARCHITECTURAL/ENGINEERING SERVICES

3
4 FOR the purpose of

5 Amending Section 5 to provide more flexibility in the selection of Architects and
6 Engineers.

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8 BY repealing and reenacting, with amendments: CHAPTER 153, SECTION 5 ('C) (4) (A),
9 CODE OF CHARLES COUNTY, MARYLAND (1994 EDITION, 2000 SUPPLEMENT).

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11 **SECTION 1.** BE IT ENACTED BY THE COUNTY COMMISSIONERS OF
12 CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as
13 follows:

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16
17 **CHAPTER 153**

SECTION 153-5 C-4A - ARCHITECTURAL/ENGINEERING SERVICES

A. FEE/EXPERIENCE/QUALIFICATIONS BASED SELECTION: THIS IS THE PROCESS WHICH SHALL BE UTILIZED FOR MOST PROJECTS THAT REQUIRE ENGINEERING/ARCHITECTURAL SERVICES. PROPOSALS FOR PROJECTS IN WHICH THE SCOPE OF WORK CAN BE WELL DEFINED SHALL REQUEST A FEE IN THE FORM OF A SPECIFIC LUMP SUM AMOUNT. FOR THOSE PROJECTS IN WHICH THE SCOPE OF WORK CANNOT BE DEFINED PRECISELY ENOUGH TO REQUEST A LUMP SUM FEE, THE TYPES OF FEE(S) REQUESTED FOR THESE PROJECTS MAY VARY AND MAY BE IN THE FORM OF HOURLY RATES, MAXIMUM OR ESTIMATED TOTAL FEES, OR COMBINATIONS THEREOF. RECOGNIZING THAT DIFFERENT PROJECTS WILL HAVE DIFFERENT CHARACTERISTICS, THE PARTICULAR PROCESS AND CRITERIA USED TO EVALUATE PROPOSALS WILL VARY FROM PROJECT TO PROJECT. THE COMMITTEE SHALL DEVELOP A PROCESS AND/OR RATING SYSTEM FOR EACH PROJECT, USING THE CRITERIA IN 153-6.B AS A BASIS FOR AWARD RECOMMENDATION. MEMBERS SHALL COMPLETE INDIVIDUAL RATING FORMS. THERE ARE TWO SEPARATE CATEGORIES OF PROJECTS, CORE AND NON-CORE, UNDERWHICH ANY GIVEN PROJECT MAY BE CLASSIFIED AND WHICH ARE EXPLAINED BELOW:

(1) CORE PROJECTS

FOR THE FOLLOWING SPECIFIC PROJECTS, 50% OF THE SELECTION CRITERIA SHALL BE ASSIGNED TO FEE AND *50% TO QUALIFICATIONS & EXPERIENCE:

- WASTEWATER TREATMENT PLANT
- DREDGING
- LANDFILLS
- ARTERIAL OR HIGHER CLASSIFICATION ROADS

- ROADS REQUIRING SHA PERMIT
- BRIDGES
- TRAFFIC SIGNALS
- LARGE INTERCEPTOR SEWER OR TRANSMISSION WATER MAINS (REQUIRE MDE CONSTRUCTION PERMIT)
- PRODUCTION WELLS
- WATER STORAGE FACILITIES
- STUDIES (COMPREHENSIVE PLANS, FEASIBILITY STUDIES)
- FIRE/RESCUE/POLICE/CORRECTIONAL/JUDICIAL/ COMMUNICATIONS FACILITIES

*NOTE: THE BOARD OF COUNTY COMMISSIONERS RESERVES THE RIGHT TO PERIODICALLY AMEND, VIA RESOLUTIONS, THE EVALUATION PERCENTAGES FOR FEE AND QUALIFICATIONS/EXPERIENCE.

(2) NON-COVE PROJECTS

NON-COVE PROJECTS ARE PROJECTS WHICH, BY THEIR NATURE, ARE LESS COMPLEX AND CRITICAL THAN COVE PROJECTS AND WHICH WOULD INCLUDE SUCH PROJECTS AS ORDINARY VERTICAL CONTRACTION, WATER AND SEWER MAINS, COLLECTOR AND LOWER CLASSIFICATION ROADS, STORM DRAINAGE AND STORMWATER MANAGEMENT, PETITION PROJECTS (ROADS, WATER/SEWER, STORM DRAINAGE, ETC.) PARKS, ETC. GIVEN THEIR NATURE, THESE ARE PROJECTS WHICH DEMAND LESS EMPHASIS ON EXPERIENCE AND QUALIFICATIONS AND MORE EMPHASIS ON FEE THAN CORE PROJECTS IN THE SELECTION PROCESS. A SLIDING SCALE RATING SYSTEM WILL BE USED FOR THOSE PROJECTS AND INCLUDE “HIGH, MEDIUM AND LOW” CATEGORIES WHICH ARE DEFINED BELOW. THE RATING OF A SPECIFIC PROJECT (HIGH, MEDIUM, LOW) SHALL BE DETERMINED BY THE PSSC MEMBERS

DURING THEIR REVIEW OF THE PROPOSAL PACKAGE PRIOR TO SOLICITATION. TO CRITERIA TO BE USED IN DETERMINING A PROJECT’S SPECIFIC CATEGORY SHALL INCLUDE, BUT NOT BE LIMITED TO, SCHEDULE, IMPACT TO THE GENERAL PUBLIC (UTILITY RELOCATION, MAINTENANCE OF TRAFFIC, NUMBER OF APPROVING AGENCIES, BUSINESSES), NIGHT WORK, CLOSURES, DEVELOPED AS UNDEVELOPED PROPERTIES, NUMBER OF ARCHITECTURAL AND ENGINEERING DISCIPLINES INVOLVED WITH THE DESIGN, FUNDING SOURCES, SAFETY ISSUES, PUBLIC NEED, CONSENT ORDERS, EDC INITIATIVES, USER NEEDS, LIABILITY ISSUES, AND OTHERS.

RATING CATEGORIES

<u>CLASSIFICATION</u>	<u>*SELECTION CRITERIA</u>
HIGH	60% FEE/40% QUALIFICATIONS/EXPERIENCE
MEDIUM	65% FEE/35% QUALIFICATIONS/EXPERIENCE
LOW	70% FEE/30% QUALIFICATIONS/EXPERIENCE

*NOTE: THE BOARD OF COUNTY COMMISSIONERS RESERVES THE RIGHT TO PERIODICALLY AMEND, VIA RESOLUTION, THE EVALUATION PERCENTAGES FOR FEE AND QUALIFICATIONS/EXPERIENCE.

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x **SECTION 2.** BE IT FURTHER ENACTED, that this Act shall take effect [FORTY-FIVE (45)] calendar days after it becomes law.